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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,152	05/08/2002	Marian Trinkel	2345/171	8320
26646	7590	10/16/2006	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			AHMED, SALMAN	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,152

Applicant(s)

TRINKEL ET AL.

Examiner

Salman Ahmed

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/14/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/018152.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 7-13 are pending.

Claims 7-13 are rejected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Cave (U.S. Patent No. 6,175,562).

Referring to claim 7, Cave discloses a circuit arrangement (Fig. 2 and respective portions of the spec.) to provide a desktop functionality for a telecommunications terminal used in computer-aided telecommunications, comprising:

an intelligent telecommunications system having a connection to a public telephone network (Fig. 2 ref. sign 102 and respective portions of the spec.) and being linked via an integration element (Fig. 2 ref. sign 100 and respective portions of the spec.), wherein the intelligent telecommunications system includes a computer system (Fig. 2 ref. sign MMPC1, MMPC2 and MMPC), a software layer (Fig. 2 ref. sign 201 and 202), and a connection element (Fig. 2 ref. sign 108 and respective

portions of the spec.), the intelligent telecommunications systems being connected to a local area network (Fig. 2 ref. sign 220 and respective portions of the spec.), an electronic data processing system (Fig. 2 ref. sign 105 and respective portions of the spec.) being connected to the local area network,

wherein the local area network is connected to a web server (Fig. 2 ref. sign 120 and respective portions of the spec.) and wherein any access via at least one of a system-bound telephone (telephone, col. 3 lines 30-35) and internet telephone (telephone, col. 3 lines 30-35) is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser (Fig. 2 ref. sign browser and respective portions of the spec.), any functional scope of the desktop control and status-display functions and the call-related data being provided and an application interface (graphical presentation, col. 7 lines 17-20) being defined by at least one web document (documents, col. 7 lines 11-15) stored on the web server (server 120, col. 7 lines 11-20).

Referring to claim 8, Cave discloses the circuit arrangement of claim 7 wherein the internet telephone (telephone, col. 3 lines 30-35) is assigned to the electronic data processing system.

Referring to claim 9, Cave discloses the circuit arrangement of claim 7 wherein the Internet telephone (telephone, col. 3 lines 30-35) is assigned to the local area network.

Referring to claim 10, Cave discloses the circuit arrangement of claim 7 wherein to provide server-based control and status display and to make available call-related

data at the local area network (Fig. 2 ref. sign 220 and respective portions of the spec.), a server (Fig. 2 ref. sign 120 and respective portions of the spec.) is connected via which the internet telephone connected to at least one of the local area network and the electronic data processing system is controlled, the server (Fig. 2 ref. sign 120 and respective portions of the spec.) connected being designed as an internet-telephone manager.

Referring to claim 11, Cave discloses the circuit arrangement of claim 7 wherein for call processing, a gateway element (POTS/packet gateway, col. 3 lines 60-67) is connected via a trunk circuit to the local area network, the gateway element (POTS/packet gateway, col. 3 lines 60-67) being at least one of an integral component of the intelligent telecommunications system and linked via telephone lines (Fig. 2 ref. sign 11 and respective portions of the spec.) to the intelligent telecommunications system.

Referring to claim 12, Cave discloses the circuit arrangement of claim 7 wherein a connection element (Fig. 2 ref. sign 108 and respective portions of the spec.) is located at the local area network (Fig. 2 ref. sign 220 and respective portions of the spec.), the connection element allowing communication between a user and subscribers outside of the local area network via the internet.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by TSUBOI et al. (Development of Computer Telephony Integration System "CTSTAGE").

Referring to claim 7, TSUBOI et al. discloses a circuit arrangement (Fig. 1 and respective portions of the spec.) to provide a desktop functionality for a telecommunications terminal used in computer-aided telecommunications, comprising:

an intelligent telecommunications system having a connection to a public telephone network (Fig. 1 ref. sign PBX or public network) and being linked via an integration element, wherein the intelligent telecommunications system includes a computer system (see the computer system in Figure 1), a software layer (Figure 2, ref. sign software); and a connection element (Figure 1 ref. sign CTSTAGE and respective portions of the spec.), the intelligent telecommunications systems being connected to a local area network (Figure 1 ref. sign LAN), an electronic data processing system (Figure 2 ref. sign DB and respective portions of the spec.) being connected to the local area network;

wherein the local area network is connected to a web server (Figure 2, Internet Information Server and respective portions of the spec.) and wherein any access via at least one of a system-bound telephone and internet telephone is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser (Figure 2 ref. sign web browser and respective portions of the spec.), any functional scope of the desktop control and status-display functions

and the call-related data being provided and an application interface (Figure 2 and respective portions of the spec.) being defined by at least one web document (Figure 5, CTSTAGE builder and respective portions of the spec.) stored on the web server (Figure 2 ref. sign server and respective portions of the spec.).

Referring to claim 8, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein the internet telephone (see the telephone in Figure 1) is assigned to the electronic data processing system.

Referring to claim 9, Cave discloses the circuit arrangement of claim 7 wherein the internet telephone (see the telephone in Figure 1) is assigned to the local area network.

Referring to claim 10, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein to provide server-based control and status display and to make available call-related data at the local area network, a server (Figure 2 ref. sign server and respective portions of the spec.) is connected via which the internet telephone (see the telephone in Figure 1) connected to at least one of the local area network and the electronic data processing system is controlled, the server connected being designed as an internet telephone manager (Figure 2 ref. sign system management and respective portions of the spec.).

Referring to claim 11, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein for cap processing, a gateway element (inherent, you have to have a device to digitize the signal if necessary and compress it, then convert it into a packetized format) is connected via a trunk circuit (Figure 1, trunk line and respective portions of the spec.)

to the local area network, the gateway element being at least one of an integral component of the intelligent telecommunications system and linked via telephone lines (see the lines from the telephone to the PBX or public network of Figure 1) to the intelligent telecommunications system.

Referring to claim 12, TSUBOI et al. discloses the circuit arrangement of claim 7 wherein a connection element (Figure 1 ref. sign CTSTAGE and respective portions of the spec.) is located at the local area network (Figure 1 ref. sign LAN), the connection element allowing communication between a user and subscribers outside of the local area network (Figure 1 ref. sign LAN) via the Internet (WWW, Introduction, paragraph 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cave in view of Evans et al. (US PAT PUB 2004/0002325, hereinafter Evans).

Cave teaches web server serving documents to client as described in the rejections of claim 7 above.

Cave does not explicitly teach at least one web document is a latest version available of the respective web document.

Evans in the same field of endeavor teaches web server serving latest version of the document (page 1 section 0010).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cave's web server to provide latest document as taught by Evans. The motivation is that such method will enable user to get the most up-to-date information available efficiently and seamlessly.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over TSUBOI in view of Evans et al. (US PAT PUB 2004/0002325, hereinafter Evans).

TSUBOI teaches IIS server serving documents to client as described in the rejections of claim 7 above.

TSUBOI does not explicitly teach at least one web document is a latest version available of the respective web document.

Evans in the same field of endeavor teaches web server serving latest version of the document (page 1 section 0010).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify TSUBOI's IIS server to provide latest document as taught by Evans. The motivation is that such method will enable user to get the most up-to-date information available efficiently and seamlessly.

Response to Arguments

9. Applicant's arguments see pages 4-6 of the Remarks section, filed 7/14/2006, with respect to the rejections to the claims have been fully considered and are not persuasive.

In regards to claim 7, Applicant argues (see page 4 last paragraph) the Cave reference does not identically describe the access provided via desktop control and status-display functions and call-related data in a dynamic interface of a web browser, and any functional scope of the functions and data being provided at least one web document stored on the web server, as in claim 7. However, Examiner respectfully disagrees with the assertion. Cave reference does teach the cited limitations. Cave teaches desktop control and status-display functions and call-related data (column 7 lines 10-20, live agent to interact with customer/caller information) in a dynamic interface of a web browser (Fig. 2 ref. sign browser and respective portions of the spec. and col. 7 lines 11-20 Browser software), any functional scope of the desktop control (column 7 lines 10-20, live agent to interact with customer/caller information) and status-

display functions (column 7 lines 10-20, live agent to interact with customer/caller information) and the call-related data being provided and an application interface (graphical presentation, col. 7 lines 17-20) being defined by at least one web document (documents, col. 7 lines 11-15) stored (column 7 lines 10-20, Server 120 then sends the documents) on the web server (server 120, col. 7 lines 11-20). To further point out Cave teaches (column 7 lines 10-20) in sending customer/caller information to a live agent, web database controller/dynamic html server 120 automatically generates html documents containing the information using Web-enabled database tools. Server 120 then sends the documents to the destination live agent LA.sub.1 -LA.sub.n over ethernet 220. Browser software 201 resident on personal computer MMPC.sub.1 - MMPC.sub.n of the destination live agent then converts the received html documents into graphical presentations, allowing the live agent to interact with customer/caller information while talking to the caller.

In regards to claim 7, Applicant argues (see page 5) the Tsuboi reference does not teach the circuit arrangement including an intelligent telecommunications system having a connection to a public telephone network and linked via an integration element, wherein the local area network is connected to a web server and any access via a system-bound telephone and an internet telephone is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser, any functional scope of the functions and data being provided at least one web document stored on the web server. However, Examiner respectfully disagrees with the assertion. Tsuboi reference does teach the cited limitations. Tsuboi teaches a

circuit arrangement (Fig. 1) to provide a desktop functionality (Figure 3 and Figure 4) for a telecommunications terminal used in computer-aided telecommunications comprising: an intelligent telecommunications system having a connection to a public telephone network (Fig. 1 ref. sign PBX or public network) and being linked via an integration element (Figure 2, CTSTAGE), wherein the local area network is connected to a web server (Figure 2, Internet Information Server and respective portions of the spec.) and wherein any access via at least one of a system-bound telephone and internet telephone is provided with desktop control and status-display functions and call-related data in a dynamic interface of a web browser (Figure 3 and Figure 4, and section

CTSTAGE ASSISTANT: CTSTAGE Assistant implements unified messaging by interlocking with the messaging function of Exchange Server to integrate electronic mail, voice mail and FAX mail Figure 3. Accessing CTSTAGE Server from the web browser to listen to voice mail or to set personal information is also possible Figure 4. To listen to voice mail and to instruct a command by voice, speech processing is necessary. The text to speech engine of CTSTAGE is the Japanese text to speech engine SMARTTALK⁴, developed by Oki. SMARTTALK can output highly articulate speech using an original waveform superimposing method. A speech recognition engine is also built-in to recognize the speech of an unspecified speaker), any functional scope of the desktop control and status-display functions and the call-related data being provided and an application interface (Figure 3 and Figure 4, and section

CTSTAGE ASSISTANT: CTSTAGE Assistant implements unified messaging by interlocking with the messaging function of Exchange Server to integrate electronic mail,

voice mail and FAX mail Figure 3. Accessing CTSTAGE Server from the web browser to listen to voice mail or to set personal information is also possible Figure 4. To listen to voice mail and to instruct a command by voice, speech processing is necessary. The text to speech engine of CTSTAGE is the Japanese text to speech engine SMARTTALK⁴, developed by Oki. SMARTTALK can output highly articulate speech using an original waveform superimposing method. A speech recognition engine is also built-in to recognize the speech of an unspecified speaker) being defined by at least one web document (Figure 5, CTSTAGE builder and respective portions of the spec.) stored on the web server (Figure 2 ref. sign server and respective portions of the spec. and further IIS server and Exchange server. IIS server serves the html-based documents to the desktops).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

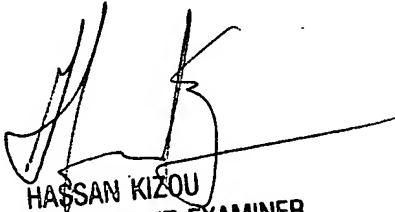
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salman Ahmed whose telephone number is (571)272-8307. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit 2616

SA
10/6/2006


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